

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI DADE COUNTY, FLORIDA

DEUTSCHE BANK NATIONAL TRUST,

GENERAL JURISDICTION DIV.

Plaintiff(s),

Case No.: 12 2778 CA 20

vs.

MARIO MIRABAL, et al,

Defendant(s).

**MOTION TO COMPEL FOR BETTER ANSWERS AND/OR RULE ON
OBJECTIONS**

COMES NOW the Defendant(s), MARIO MIRABAL, by and through his/ her/ their undersigned attorney and pursuant to Rule 1.380(a) of Florida Rules of Civil Procedure and Administrative Order 1-06-2009 of Eleventh Judicial Circuit for Circuit Court, hereby files this Motion to Compel Better Answers and/or Rule on Objections and in support thereof states:

1. On or about April 4, 2013, Defendant propounded a Third Request to Produce of Plaintiff, DEUTSCHE BANK NATIONAL TRUST.
2. Pursuant to Rule 1.350 of Florida Rules of Civil Procedure, Defendant had until May 9, 2013, to file responses to the discovery.
3. Plaintiff failed to respond to the Request for Production within the time allowed, and failed to move for enlargement of time. Further Plaintiff through their delay and failure to timely respond has waived their right to objections.

WHEREFORE Defendant respectfully requests this Court enter an order compelling Plaintiff to better answer Defendant's Third Request to Produce.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Compel has been furnished via email to: Alberteli Law, servealaw@albertellilaw.com, this 22nd day of August, 2013.

DAVID M. SOSTCHIN, P.A.

Attorney for Defendant(s)

797 West 18th Street

Hialeah, Florida 33010

Telephone No.: 305-819-2118

Facsimile No.: 305-819-4991

Email: david@sostchinlaw.com

A handwritten signature in black ink, appearing to read "David M. Sostchin", is written over a horizontal line.

DAVID M. SOSTCHIN, ESQ.

Florida Bar No.: 253049